

REMARKS/ARGUMENTS

Status of Claims

Claims 1-2, 4-15, and 17-27 are pending in this application with claim 1 being the only independent claim. Claims 3 and 6 have been cancelled without prejudice. Independent claim 1 has been amended to incorporate features disclosed in the original specification including claims 3 and 4. Claims 4 and 22 have been amended to address formality issues. Reconsideration of the subject application is respectfully requested.

Information Disclosure Statement

An Information Disclosure Statement was filed on July 9, 2008 and crossed in the mail with the Office Action of July 17, 2008. Accordingly, consideration of that IDS is requested in the next Office Action.

Overview of the Office Action

Claims 1-5, 8, 21-24, and 27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent 6,234,648 to *Borner*.¹

Claims 1-5, 8, 17-24, and 27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Pat. Appln. Pub. 2002/0118538 to *Calon*.

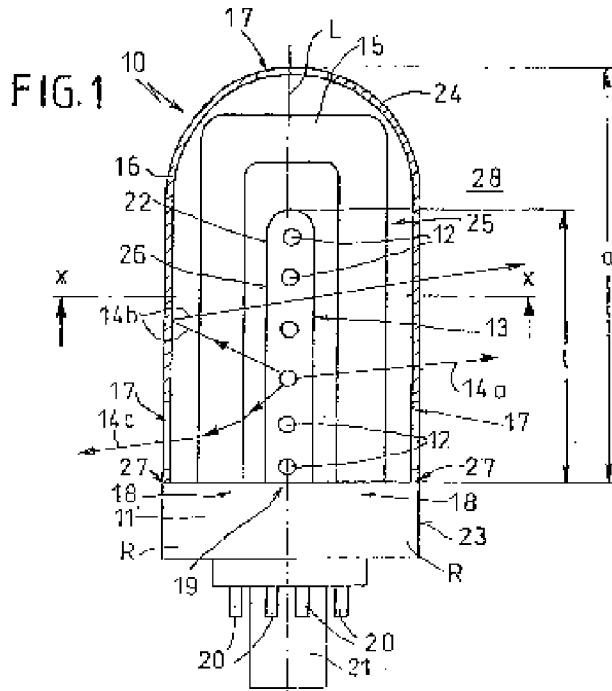
Claims 6-7 and 25-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Calon*.

Claims 9-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Calon* and further in view of US Pat. Appln. Pub. 2003/0021117 to *Chan*.

¹ US Patent 6,234,648 is relied on in this rejection but is not listed in the Form PTO-892. During a telephone discussion with the Examiner on July 29, 2008, the Examiner agreed to list US Patent 6,234,648 on Form PTO-892 when issuing the next Office Action.

Summary of the Subject Matter Disclosed in the Specification

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed. Fig. 1 in the subject application is reproduced below for the Examiner's convenient reference.



The present specification discloses a lamp (10) having a base (11) for connection to a lamp socket on the lamp (10). A plurality of LED elements (12) are disposed at a distance to the socket and combined to a module (13). The LED elements (12) in the module (13) are aligned in a substantially longitudinal direction of the lamp (10). The lamp (10) also has at least one lamp element (15) of a second type arranged on the base (11). The second type lamp element (15) is a non-LED element, such as a compact fluorescent lamp or a high-pressure discharge lamp.

The lamp (10) described above allows for homogeneous luminance distribution of the LED light emitted by the LED elements (12).

Patentability of the Claimed Invention

Independent Claim 1

Independent claim 1 recites “at least one non-LED lamp element.” Independent claim 1 also recites a plurality of LED elements spaced apart from the base” and “aligned in a substantially longitudinal direction of the lamp.” Support for the above claim features can be found in paragraph [0042] and Figs. 1a and 1b of the published version of the specification (see, U.S. Pat. Appln. Pub. 2005/0099108). The LEDs recited in independent claim 1 are spaced apart from the base and extend longitudinally into the volume of the lamp. The LEDs so arranged allow the LED light generated to be distributed more uniformly in the volume of the lamp. (See, e.g., para. [0006] of the specification.)

The above claim features are not disclosed in the cited references because (i) *Borner* does not teach any other type of lamp elements in addition to the LEDs, and (ii) *Calon* does not teach that its LEDs are “aligned in a substantially longitudinal direction of the lamp,” as recited in independent claim 1.

Borner teaches a lighting system based on LED elements. For example, in *Borner's* embodiment illustrated in Figs. 3A and 3B, the lamp lighting system 101 is shown to include a number of blue, red, and blue LEDs 106, 106', 107, 107', 108, 108'. *Borner* however does not teach using any other type of lamp elements in addition to the LEDs. More specifically, *Borner* does not teach “at least one non-LED lamp element,” as recited in independent claim 1.

Calon teaches an integrated light source containing a light-transmitting discharge vessel 10 and LEDs 20, 20'. In *Calon*, the LEDs 20, 20' are positioned on the base and transverse to the longitudinal direction of the light source. *Calon* does not show that its LEDs “are aligned in a substantially longitudinal direction of the lamp,” as recited in independent claim 1.

Further, each LED 20, 20' of *Calon* is individually mounted to the base. Accordingly, *Calon* also fails to disclose "a plurality of LED elements spaced apart from the base and combined to form one module arranged on the base," as recited in independent claim 1.

In view of the above, independent claim 1 is not taught by either *Borner* or *Calon*. Withdrawal of the rejections of claim 1 is hereby respectfully requested.

Dependent Claims 2, 4-15 and 17-27

Claims 9-15 depend, directly or indirectly, from allowable independent claim 1. *Chan* was cited in the Office Action against the additional features in claims 9-15 but do not remedy the deficiencies of *Calon*. Therefore, claims 9-15 are allowable for at least the same reasons that independent claim 1 is allowable.

Claims 2, 4-8, and 17-27 depend, directly or indirectly, from allowable independent claim 1 and, thus, each is allowable therewith.

In addition, claims 2, 4-15 and 17-27 include features which serve to even more clearly distinguish the claimed invention over the cited art.

Conclusion

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

Respectfully submitted,
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